

SWAIN, T

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

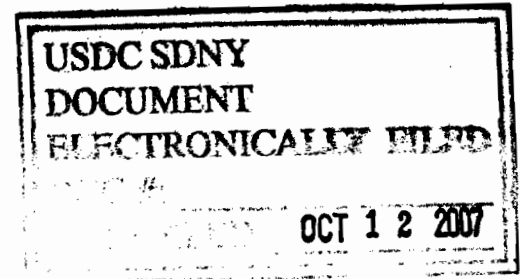
-----X
DONALD SPALLONE,

Plaintiff,

-against-

SMITHKLINE BEECHAM CORPORATION,
GLAXOSMITHKLINE and SMITHKLINE
BEECHAM CORPORATION d/b/a
GLAXOSMITHKLINE,

Defendants.
-----X



07-CV-7898 (LTS)

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED between counsel for the parties to the above-captioned action, Plaintiff Donald Spallone, and Defendant SmithKline Beecham Corporation d/b/a GlaxoSmithKline ("GSK")(improperly named as SMITHKLINE BEECHAM CORPORATION and GLAXOSMITHKLINE), that the time for Defendant GSK to move, plead or otherwise respond to the Plaintiff's Complaint is hereby extended thirty (30) days from October 16, 2007 to November 15, 2007.

Dated: October 3, 2007

A handwritten signature of David Ratner in black ink.

David Ratner
Victoria J. Maniatis (VM 6388)
MORELLI RATNER PC
950 Third Avenue
New York, NY 12550

Attorneys for Plaintiff Donald Spallone

A handwritten signature of Kenneth J. King in black ink.


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and

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Attorneys for Defendant
SmithKline Beecham Corporation
d/b/a GlaxoSmithKline

SO ORDERED.


United States District Judge
Dated: 10/11/07